

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
CITATION MANUFACTURING COMPANY, INC. a corporation VS JOHN L. CASH, CHARLES R. DUKE and ✓ CARL HOOD, d/b/a (F & W INDUSTRIAL SUPPLY and HOLIDAY MOBILE HOMES)		For plaintiff: William-Leiter Gatra Marvin Ungerman, Grabel, Ungerman & Leiter Wright Building Tulsa, Okla. 74103 (584-6108)			
		For defendant: James E. Frasier (303 Pythian Building Tulsa, Oklahoma 74103 (584-4724)			
		XXXXXXXXXXXXXXXXXXXX			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 8-1-72	Clerk	7-19-72	Leiter	15 00	
		7-20-72	C.D.No.4		15 00
J.S. 6 mailed 5-1-73	Marshal				
Basis of Action: Judgment for money due on account; and fraud	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-19-72	Complaint, filed. Summons issued to John L. Cash & Carl Hood. hm	
7-27-72	Return on U.S. Marshals Service, Summons and Complaint, filed. Served John L. Cash, in Tulsa, Okla., on 7-24-72, with fees of \$4.92. v Served Carl Hood, by serving Mrs. Carl Hood, in Tulsa, Okla. on 7-19-72, with fees of \$6.00. v	
8-10-72	Motion for extension of time of 15 days from 8-8-72 to plead, filed. ds Order attached, granting 15 days from 8-8-72 in which to plead, filed. ds <i>any to atty</i>	
8-23-72	<u>Answer</u> of Carl Hood, filed. hm	
10-12-72	Interrogatories by pltf. to def. Hood, filed. rm	
11-14-72	Answers to Plaintiff's Interrogatories, filed. v	
11-30-72	Appl. for Order of Dismissal, filed by the Pltf., as to Deft., Charles R. Duke, only. v	
11-30-72	Order Dismissing Action Without Prejudice as to Deft. Charles R. Duke Only, filed. (FD-J)v -copies mailed. and entered.	
11-30-72	Journal Entry of Judgment, filed and entered. Ordered by the Court that Pltf. is granted judgment against Deft., John L. Cash, for sum of \$14,250.00, with interest at rate of 6% per annum from 6-5-72, until paid, with atty.s' fee in amount of \$3,000.00, to be taxed as cost, and for all additional costs. Ordered that this action be continued as to Charles R. Duke and Carl Hood, until further order. (FD-J)v -copies mailed.	
1-16-73	Case set for P-T hearin at 10:00 A.M. 1-30-73 (FD-J)r	
1-30-73	Pre-Trial held. Pltf rep by Gatra Marvin; Govt rep by James Frasier. Statements made. Pltf directed to file statement re: fraud within 10 days. Deft request Jury trial - granted. Pltf directed to file P-T Order. (FD-J)r	
2-9-73	Pltfs' Memorandum Brief of Authorities, filed. r <i>Marvin</i>	
<u>2-9-73</u>	PROPOSED PRE-TRIAL ORDER, filed. r (FD-J) <i>R</i>	
3-7-73	Case set for Jury Trial on Mon. 4-16-73 at 9:30 A.M. (FD-J)r	
3-27-73	Deft's Appl for continuance of Jury Trial, filed. r <i>Depos - 4/16/73 to 4/17/73</i>	
3-29-73	Order filed, denying deft's Appl for Cont. of Jury Trial, filed. (FD-J)r (Copies mailed)	
4-11-73	Copy of letter dated 4-10-73 from J.D. to James Frasier re: P.T Order filed. r	
4-16-73	Case tried to Jury. Pltf rep by Irvine Ungerman & Gatra Marvin; Deft. rep. by James E. Frasier. Deft's Motion for Mistrial - overruled. 4:00 P.M., Jury retires to deliberate; Jury returns with verdict at 5:35 P.M. Verdict received, read & filed in open court, for the Pltf. Clerk to withhold Judgment until atty fees are agreed by counsel. (FD-J) (Cone)	

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4-16-73	Pltf's Exh. #1 thru #8, in file. r	
4-16-73	Deft's Exh. #1 thru #3, in file (#4 was not admitted) r	
4-16-73	Court's Exh. #1 and #2, in file. r	
4-18-73	Stipulation as to attys fees, filed. r	
4-18-73	Judgment, filed and entered, that pltf have and recover \$14,250.00 from deft. Carl Hood at rate of 6% interest from 6-5-72 until paid, together w/further sum of \$2,500.00 attys fees. (FD-J)r	
4-19-73	Bill of Costs, filed. v	
4-23-73	Costs taxed in the sum of \$2,525.92. Jack C. Silver, Clerk. ds	
4-26-73	Motion for New Trial, filed by Deft. Carl Hood. v	
4-26-73	Brief in support, filed. v	
5-1-73	Copy of ltr dated 4-30-73 from J.D. to Mr. Ungerman, stating that the Pltf is to respond to Motion for New Trial w/a supporting brief within 10 days (Due 5-9-73), filed. r	
5-10-73	Memo brief of pltf. in opposition to def. mo/new trial, filed. rm	
5-14-73	Order filed, overruling the Deft's Motion for New Trial, filed. (FD-J)r (Copies mailed)	
6-25-73	Return on U.S. Marshals Service, Execution, filed. Served Carl Hood by serving Janice Faye, wife, in Tulsa, OK, on 6-19-73, with fees of \$5.64. v	
7-2-73	Pltf's Appl to Disclose assets and show cause why a receiver should not be appointed. filed. r <i>Mailed 4/10/73</i>	
7-6-73	Order to appear and answer as to assets and show cause why a receiver should not be appointed. Ordered that U.S. Magistrate have asset hearing on 7-23-73 at 9:00 A.M. It is further ordered that Pltf's Appl. for appointment of Receiver will be held at 11:00 A.M. on 7-23-73 before Judge Daugherty. (FD-J)r (Copies mailed to attys; Order issued to Carl Hood; copy to Morris Bradford, Mag.)	
7-12-73	Return on U.S. Marshals Service, Order & Asset Hearing, filed. Served Carl Hood in Tulsa, OK, on 7-10-73, with fees of \$3.00. v	
7-12-73	Return on U.S. Marshals Service, Civil Subpoena to Produce Document, filed. Served Carl Hood in Tulsa, OK, on 7-10-73, with fees of \$2.00.v	
7-23-73	Ordered by the Court that the asset hearing stricken by agreement and reset for 7-30-73 at 3:00 P.M. before the U. S. Magistrate. Pltf's Appl for Appt of Receiver is stricken by agreement to be reset by the Court upon request. (FD-J)r	
8-28-73	Order filed, setting the Order to Appear and Answer as to Assets before the U.S. Mag., at 2:00 P.M. on 11-5-73. (FD-J)r (Copies mailed) (Copy to the Magistrate)	
11-19-73	Ltr. from pltf. counsel, re striking of hrg. rm	

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